

The Clerk read as follows:

H.R. 3606

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. AMENDMENTS TO LAND GRANT PATENT ISSUED BY SECRETARY OF THE INTERIOR.**

Patent Number 61-2000-0007, issued by the Secretary of the Interior to the Great Lakes Shipwreck Historical Society, Chippewa County, Michigan, pursuant to section 5505 of division A of the Omnibus Consolidated Appropriations Act, 1997 (Public Law 104-208; 110 Stat. 3009-516) is amended in paragraph 6, under the heading "SUBJECT ALSO TO THE FOLLOWING CONDITIONS" by striking "Whitefish Point Comprehensive Plan of October 1992, or a gift shop" and inserting "Human Use/Natural Resource Plan for Whitefish Point, dated December 2002, permitted as the intent of Congress".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. GOHMERT) and the gentleman from Wisconsin (Mr. KIND) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

Mr. GOHMERT. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 3606 is a simple measure that updates a land patent reference to an outdated management plan currently being used by the Great Lakes Shipwreck Historical Society. This 8-acre property was obtained in 1992 from the Department of the Interior under a land grant patent. Under the new resource management plan, the museum will be able to greatly improve its visitor access to wildlife areas and expand its facilities to accommodate additional shipwreck exhibits.

I urge an "aye" vote on this legislation.

Madam Speaker, I reserve the balance of my time.

Mr. KIND. Madam Speaker, I yield myself such the time as I may consume.

Madam Speaker, I appreciate the majority's support for this legislation and commend my good friend from the upper peninsula of Michigan, BART STUPAK, for introducing this legislation, and I encourage its adoption.

Mr. STUPAK. Madam Speaker, I want to thank the Chairman and Ranking Member and their staffs on the Committee for assisting in moving this legislation forward.

H.R. 3606 is a straightforward, non-controversial bill that would allow the Great Lakes Shipwreck Historical Society to implement the new Human Use/Natural Resource Management Plan for the Great Lakes Shipwreck Museum in Chippewa County, Michigan.

The Great Lakes Shipwreck Historical Society is a nonprofit organization dedicated to preserving the history of shipwrecks in the Great Lakes.

Since 1992, the Great Lakes Shipwreck Historical Society has operated the Great Lakes Shipwreck Museum to educate the public about shipwrecks in the region.

The Museum provides exhibits on several shipwrecks in the area, including an in-depth exhibit on the *Edmund Fitzgerald*, which was

lost with her entire crew of 29 men near Whitefish Point, Michigan on November 10, 1975. Among the items on display is the 200 pound bronze bell recovered from the wreckage in 1995, as a memorial to her lost crew.

In 2002, the Great Lakes Shipwreck Historical Society, working with the U.S. Fish and Wildlife Service, the local chapter of the Audubon Society, and the local community, finalized a new management plan for the Museum to improve the experience at the Museum.

The new management plan developed by these groups will allow the Historical Society to enhance the visitor's experience by expanding the Museum's exhibits and improving parking and access to surrounding wildlife opportunities.

The new management plan represents a consensus of all associated parties, and will improve the enjoyment of the historical and ecological resources in Chippewa County, Michigan.

However, because the original land grant patent references the previous management plan, legislation to amend the patent is necessary before the new management plan can be implemented.

In response, I introduced H.R. 3606, which would amend the land grant patent to allow the new plan to be implemented. This legislation would simply change the land grant patent to include the new management plan, which has been agreed upon by all of the necessary stakeholders.

Congressman CAMP has joined me in co-sponsoring this legislation, recognizing the importance of increasing visitors to our state and its economy. I thank him for his support of this legislation.

The Great Lakes Shipwreck Historical Society has continuously improved the experience at the Museum since it was established in 1992. With the approval of H.R. 3606, Congress will allow additional developments at the Great Lakes Shipwreck Museum, improving this cultural and historical resource.

I encourage my colleagues to support this simple legislation, which will improve the opportunities available to visitors of Chippewa County, Michigan and the Great Lakes Shipwreck Museum.

Mr. KIND. Madam Speaker, I yield back the remainder of my time.

Mr. GOHMERT. Madam Speaker, I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. GOHMERT) that the House suspend the rules and pass the bill, H.R. 3606.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

**COMMISSION TO STUDY THE POTENTIAL CREATION OF A NATIONAL MUSEUM OF AMERICAN LATINO HERITAGE ACT OF 2006**

Mr. GOHMERT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2134) to establish the Commission to Study the Potential Creation of a National Museum of the

American Latino Community to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino Community in Washington, D.C., and for other purposes, as amended.

The Clerk read as follows:

H.R. 2134

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Commission to Study the Potential Creation of a National Museum of American Latino Heritage Act of 2006".

**SEC. 2. ESTABLISHMENT OF COMMISSION.**

(a) IN GENERAL.—There is established the Commission to Study the Potential Creation of a National Museum of American Latino Heritage (hereafter in this Act referred to as the "Commission").

(b) MEMBERSHIP.—The Commission shall consist of 23 members appointed not later than 6 months after the date of the enactment of this Act as follows:

(1) The President shall appoint 7 voting members.

(2) The Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate shall each appoint 3 voting members.

(3) In addition to the members appointed under paragraph (2), the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate shall each appoint 1 nonvoting member.

(c) QUALIFICATIONS.—Members of the Commission shall be chosen from among individuals, or representatives of institutions or entities, who possess either—

(1) a demonstrated commitment to the research, study, or promotion of American Latino life, art, history, political or economic status, or culture, together with—

(A) expertise in museum administration;

(B) expertise in fundraising for nonprofit or cultural institutions;

(C) experience in the study and teaching of Latino culture and history at the post-secondary level;

(D) experience in studying the issue of the Smithsonian Institution's representation of American Latino art, life, history, and culture; or

(E) extensive experience in public or elected service; or

(2) experience in the administration of, or the planning for the establishment of, museums devoted to the study and promotion of the role of ethnic, racial, or cultural groups in American history.

**SEC. 3. FUNCTIONS OF THE COMMISSION.**

(a) PLAN OF ACTION FOR ESTABLISHMENT AND MAINTENANCE OF MUSEUM.—The Commission shall submit a report to the President and the Congress containing its recommendations with respect to a plan of action for the establishment and maintenance of a National Museum of American Latino Heritage in Washington, DC (hereafter in this Act referred to as the "Museum").

(b) FUNDRAISING PLAN.—The Commission shall develop a fundraising plan for supporting the creation and maintenance of the Museum through contributions by the American people, and a separate plan on fundraising by the American Latino community.

(c) REPORT ON ISSUES.—The Commission shall examine (in consultation with the Secretary of the Smithsonian Institution), and submit a report to the President and the Congress on, the following issues:

(1) The availability and cost of collections to be acquired and housed in the Museum.

(2) The impact of the Museum on regional Hispanic- and Latino-related museums.

(3) Possible locations for the Museum in Washington, DC and its environs, to be considered in consultation with the National Capital Planning Commission and the Commission of Fine Arts, the Department of the Interior and Smithsonian Institution.

(4) Whether the Museum should be located within the Smithsonian Institution.

(5) The governance and organizational structure from which the Museum should operate.

(6) How to engage the American Latino community in the development and design of the Museum.

(7) The cost of constructing, operating, and maintaining the Museum.

(d) **LEGISLATION TO CARRY OUT PLAN OF ACTION.**—Based on the recommendations contained in the report submitted under subsection (a) and the report submitted under subsection (c), the Commission shall submit for consideration to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, the Committee on Resources of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committees on Appropriations of the House of Representatives and the Senate recommendations for a legislative plan of action to create and construct the Museum.

(e) **NATIONAL CONFERENCE.**—In carrying out its functions under this section, the Commission may convene a national conference on the Museum, comprised of individuals committed to the advancement of American Latino life, art, history, and culture, not later than 18 months after the commission members are selected.

#### SEC. 4. ADMINISTRATIVE PROVISIONS.

(a) **FACILITIES AND SUPPORT OF DEPARTMENT OF THE INTERIOR.**—The Department of the Interior shall provide from funds appropriated for this purpose administrative services, facilities, and funds necessary for the performance of the Commission's functions. These funds shall be made available prior to any meetings of the Commission.

(b) **COMPENSATION.**—Each member of the Commission who is not an officer or employee of the Federal Government may receive compensation for each day on which the member is engaged in the work of the Commission, at a daily rate to be determined by the Secretary of the Interior.

(c) **TRAVEL EXPENSES.**—Each member shall be entitled to travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(d) **FEDERAL ADVISORY COMMITTEE ACT.**—The Commission is not subject to the provisions of the Federal Advisory Committee Act.

#### SEC. 5. DEADLINE FOR SUBMISSION OF REPORTS; TERMINATION.

(a) **DEADLINE.**—The Commission shall submit final versions of the reports and plans required under section 3 not later than 24 months after the date of the Commission's first meeting.

(b) **TERMINATION.**—The Commission shall terminate not later than 30 days after submitting the final versions of reports and plans pursuant to subsection (a).

#### SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for carrying out the activities of the Commission \$2,100,000 for the first fiscal year beginning after the date of the enactment of this

Act and \$1,100,000 for the second fiscal year beginning after the date of the enactment of this Act.

Amend the title so as to read: "A bill to establish the Commission to Study the Potential Creation of a National Museum of American Latino Heritage to develop a plan of action for the establishment and maintenance of a National Museum of American Latino Heritage in Washington, DC, and for other purposes."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. GOHMERT) and the gentleman from Wisconsin (Mr. KIND) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

Mr. GOHMERT. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 2134 would create a commission to study and report on the potential creation of a National Museum of American Latino Heritage. The commission would be comprised of 23 members appointed by the President, the Speaker, the House Minority Leader, the Senate Majority Leader, and the Senate Minority Leader. The commission would issue a report on the cost of the museum, fund-raising, its impact on other Hispanic- and Latino-related museums, the possible location, and how the museum should be operated.

I appreciate the cooperation of Chairman EHLERS of the Committee on House Administration to allow this bill to be scheduled today, and I urge adoption of the bill.

Madam Speaker, I reserve the balance of my time.

Mr. KIND. Madam Speaker, I would like to yield at this time such time as he may consume to the chief sponsor of this legislation, the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Madam Speaker, I would like to first begin by thanking our managers of the time for their patience and indulgence in moving forward so many good pieces of legislation.

I want to thank, first and foremost, the principal co-chair of this legislation, Ms. ILEANA ROS-LEHTINEN of Florida, for her efforts in trying to help move this legislation forward. And while I have a written statement, which I will submit for the RECORD, I also want to thank the work of the committee chairman and ranking members here, not only the full committee members, Mr. POMBO, and Mr. RAHALL, the ranking member, but also our National Parks chairman, Mr. PEARCE, and ranking member Mrs. CHRISTENSEN for their work in moving this bill through the Resources Committee. And, of course, the chairman, Mr. EHLERS, and ranking member, Ms. MILLENDER-MCDONALD, from the Committee on House Administration for also moving the bill through their committee.

□ 2345

I certainly want to thank them very much for the work of the leadership to

place this bill on the suspension calendar.

Madam Speaker, I thank my colleagues, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from the Virgin Islands (Ms. CHRISTENSEN) for their work in support of H.R. 2134, the National American Latino Heritage Museum Commission Act.

I am also grateful to the leadership and members of the House Committee on Resources and the Committee on House Administration for bringing this legislation to the floor today.

I first sponsored this legislation with my good friend, Representative ILEANA ROS-LEHTINEN, during Hispanic Heritage Month nearly three years ago. Since then, we have been hearing from many supporters, not just in the Latino community, but throughout the nation. The Senate version of this bill was sponsored by Senator KEN SALAZAR and Senator MEL MARTINEZ.

We have a good, bipartisan group of co-sponsors, but I would like to emphasize that this is non-partisan legislation that will benefit all Americans. Our national museums have great influence over what Americans know and believe about our collective history and cultural life. When the children of America visit the capital to learn what our museums have to teach them, they go home believing that they have an understanding about what it means to be an American. H.R. 2134 would bring light to the issue of whether our national museums are doing all they can to provide future generations a more complete portrayal of American Latino contributions to American life, by showing that American Latinos are and always have been a part of the American experience.

The bipartisan Commission created by this bill ("Commission") would be charged with examining and reporting to Congress and the President their recommendations on whether and how to establish a new museum dedicated to the art, history, and culture of the American Latino population of the United States. The Commission would be comprised of experts from the national art and museum communities as well as individuals with experience in administration and development of cultural institutions. Commissioners would be appointed in a bipartisan manner by the President and the leaders of the House and Senate.

Along with the question of whether a new museum is warranted, the Commission would examine such issues as the capacity for fund-raising for a new museum, the availability of a collection to exhibit, whether a new museum should be part of the Smithsonian Institution or independent, the cost of establishing and maintaining a museum, and where a museum might be located in Washington, D.C. or its environs. Congress then may choose whether to act on the recommendations as it sees fit.

American Latinos will play an ever increasing role in the whole of our society. Americans of Latino heritage are a very youthful population and are projected to be more integral to the nation's economy, workforce, and electorate. Almost half of American Latinos are under the age of 25. American Latinos have a higher proportion of preschool aged children among their population than any other group. Similarly, 11 percent of the Latino population is under the age of five. Among our nation's school-age population, about every fifth student is Latino. In fact, the Census Bureau tells

us that every fifth child born today in the United States is an American of Latino heritage.

Americans of Latino heritage have been part of American history since before the founding of the United States. They were present on the American continent for more than two centuries prior to the Declaration of Independence. Spanish colonists founded the first permanent settlement in the territorial United States in St. Augustine, Florida in 1565, four decades before Jamestown and Plymouth Rock. The first church in North America was constructed by the Spanish in 1598 at San Juan Pueblo, 30 miles north of Santa Fe. One of the sixteen windows in the Colorado State Capitol depicts Casimiro Barela, a Hispano and former Governor and member of the state senate from 1876 to 1914, who was instrumental in the state's decision to publish all laws in English, German and Spanish.

During the American Revolutionary War, General Washington's army was successful at Yorktown in part because of support from a multiethnic army led by Spanish General Bernardo de Galvez on a southern front against the British, driving them out of the Gulf of Mexico, fighting them on the Mississippi and in Florida. The town of Galveston, Texas is named for him.

In every subsequent military conflict, American Latino soldiers fought alongside their American brethren. One of the first U.S. soldiers to die in Iraq, Jose Gutierrez, was an orphaned Guatemalan who at the time of his death was not even an American citizen. American Latino participation in our armed forces is not a new phenomenon. More than 10,000 Americans of Latino heritage fought for both the North and the South during the civil war. It has been estimated that anywhere from 250,000 to 500,000 American Latinos served in the armed forces during World War II. Over 53,000 Puerto Ricans served in World War II during the period 1940–1946.

According to the Pew Hispanic Center, while Latinos make up 9.5 percent of the actively enlisted forces, they are over-represented in the categories that get the most dangerous assignments (infantry, gun crews and seamanship) and make up over 17.5 percent of the front lines. This is likely the reason why, as a proportion of their total numbers, American Latinos have earned more Congressional Medals of Honor than any other ethnic group.

Presently, Latinos have one of the highest retention rates in military service. Their dedication is rooted in their deep belief in protecting American values demonstrated by post enlistment surveys which illustrate that Latino recruits note "patriotism" and "service to country" as the top two reasons for joining, as well as "duty" and "honor."

The richness of American culture also has benefited greatly from contributions made by the American Latino community.

New Orleans jazz legend Jelly Roll Morton said that our quintessential American music, jazz, was born with a "Spanish tinge." The famous jazz saxophonist Stan Getz released several albums in the 1950s that integrated Brazilian samba into traditional jazz, and used the paintings of a Latina, Olga Abizu, for his album covers.

Many of our old American icons were also influenced by American Latino culture. The term "buckaroo" is derived from the Spanish word "vaquero" or cowman, from which we

also got the word "cowboy." Cowboy garb, boots and wide brimmed hats are all derived from the traditions of the northern Mexican charros and caballeros.

In science, the ground-controlled radar systems used for aircraft landings, and the meteorite theory of dinosaur extinction were both discovered by an American Latino, Californian Luis Walter Alvarez. Without American Latino ingenuity in bringing large-scale irrigation systems, or acequias, to the Southwest, the semi-arid climate would not have supported the crops that allowed colonization. The earliest acequias in Texas were dug by Pueblo Indians in 1680, portions of this system which were still in use in the early 1990s.

The civil rights era was a time in which American Latinos also made contributions. Before *Brown v. Board of Education*, California schools were desegregated by *Mendez v. Westminster School District*, a federal lawsuit brought by the parents of Mexican American students.

American Latinos also are investing mightily in the American economy. American Latino purchasing power nationally will top \$1.08 trillion by 2010, up 413 percent from \$212 billion in 1990—a gain far greater than the 177 percent increase in the buying power of all U.S. consumers in the same period. From 1997–2002, the number of businesses owned by American Latinos grew by 31 percent, three times the national average. These are indicators that American Latinos will be increasingly vital to the nation's economic well-being.

These examples show that the American Latino experience is integral to the nation's past and future. Yet scarcely any of the exhibits in our national museums in the nation's capital portray American Latino contributions to American life.

H.R. 2134 would take the next step toward ensuring that the lessons taught by our premier institutions for the arts, humanities, and American history include a better representation of Latino contributions. We hope that we will soon be able to say that the nation's capital truly exhibits America's rich cultural diversity.

I urge all of my colleagues to support this legislation.

Ms. MILLENDER-MCDONALD. Madam Speaker, as Ranking Member of the Committee on House Administration, which favorably reported this important legislation along with the Resources Committee, I urge my colleagues to move quickly so that the bill can become law this year and we can begin the process of planning a National Museum of American Latino Heritage here in Washington, D.C. I congratulate Rep. BECERRA and Rep. ROS-LEHTINEN for their leadership in introducing this legislation and for their hard work in pushing it forward.

Persons of Hispanic, or Latino, descent have lived in the Western Hemisphere since the 16th Century. In the United States, they have become the largest minority group, and their impact will only grow stronger in the future. The culture of the Americas reflects a unique mixture of what was inherited from Europe, retained from the indigenous Native American inhabitants, contributed by Africans brought here during the era of slavery, and stirred in the melting pot of interaction with later immigrants from all around the world.

I am pleased to support consideration of a Latino Museum which I hope would undertake

serious scholarly research as well as create and display exhibits to tell the story of the American Latino to an ever growing population, which will be increasingly exposed to such cultural influences in the years ahead. This is a project which all Americans can enthusiastically embrace.

Our Committee on House Administration worked for years with the gentleman from Georgia, Rep. JOHN LEWIS, to establish the Smithsonian African American Museum which finally became law in 2003. That legislation worked its way through Congress over a period of 17 years, passing the House and the Senate in different forms during that time, and then being successfully revived and studied by a Commission appointed by the President and Congress.

Madam Speaker, that Commission worked through 2002 and early 2003 to compile information and recommendations for Congress to use in considering whether to finally establish the Museum, and in what form. While we did not accept all of the Commission's recommendations, I found that it provided invaluable focus and momentum in moving the project forward.

H.R. 2134, and any future legislation to establish a new Museum which may spring from it, will hopefully enjoy a less tortuous path to a successful conclusion. The Commission to be created by this bill relating to the Museum of American Latino Heritage is largely patterned after the African American Museum Commission, and this time we are considering establishing the Commission at the beginning of the process of studying a Museum rather than near the end.

The new Commission will examine, among other issues, whether this new Museum should be part of the Smithsonian Institution, as is the new African American Museum. The Smithsonian has unique expertise in both museum governance and successfully presenting information which tells a story in both educational and entertaining ways.

Madam Speaker, I urge passage of this legislation.

Mr. KIND. Madam Speaker, again I want to congratulate and commend my colleague for his leadership and encourage adoption, and I yield back the balance of my time.

Mr. GOHMERT. Madam Speaker, we are grateful to the gentleman from California (Mr. BECERRA) for his work.

We have no additional speakers, and yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. GOHMERT) that the House suspend the rules and pass the bill, H.R. 2134, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to establish the Commission to Study the Potential Creation of a National Museum of American Latino Heritage to develop a plan of action for the establishment and maintenance of a National Museum of American Latino Heritage in Washington, DC, and for other purposes."

A motion to reconsider was laid on the table.

## UPPER MISSISSIPPI RIVER BASIN PROTECTION ACT

Mr. GOHMERT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5340) to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5340

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Upper Mississippi River Basin Protection Act”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Reliance on sound science.

### TITLE I—SEDIMENT AND NUTRIENT MONITORING NETWORK

Sec. 101. Establishment of monitoring network.

Sec. 102. Data collection and storage responsibilities.

Sec. 103. Relationship to existing sediment and nutrient monitoring.

Sec. 104. Collaboration with other public and private monitoring efforts.

Sec. 105. Reporting requirements.

Sec. 106. National Research Council assessment.

### TITLE II—COMPUTER MODELING AND RESEARCH

Sec. 201. Computer modeling and research of sediment and nutrient sources.

Sec. 202. Use of electronic means to distribute information.

Sec. 203. Reporting requirements.

### TITLE III—AUTHORIZATION OF APPROPRIATIONS AND RELATED MATTERS

Sec. 301. Authorization of appropriations.

Sec. 302. Cost-sharing requirements.

Sec. 303. Sunset.

### SEC. 2. DEFINITIONS.

In this Act:

(1) The terms “Upper Mississippi River Basin” and “Basin” mean the watershed portion of the Upper Mississippi River and Illinois River basins, from Cairo, Illinois, to the headwaters of the Mississippi River, in the States of Minnesota, Wisconsin, Illinois, Iowa, and Missouri. The designation includes the Kaskaskia watershed along the Illinois River and the Meramec watershed along the Missouri River.

(2) The terms “Upper Mississippi River Stewardship Initiative” and “Initiative” mean the activities authorized or required by this Act to monitor nutrient and sediment loss in the Upper Mississippi River Basin.

(3) The term “sound science” refers to the use of accepted and documented scientific methods to identify and quantify the sources, transport, and fate of nutrients and sediment and to quantify the effect of various treatment methods or conservation measures on nutrient and sediment loss. Sound science requires the use of documented protocols for data collection and data analysis, and peer review of the data, results, and findings.

### SEC. 3. RELIANCE ON SOUND SCIENCE.

It is the policy of Congress that Federal investments in the Upper Mississippi River Basin must be guided by sound science.

### TITLE I—SEDIMENT AND NUTRIENT MONITORING NETWORK

#### SEC. 101. ESTABLISHMENT OF MONITORING NETWORK.

(a) **ESTABLISHMENT.**—As part of the Upper Mississippi River Stewardship Initiative, the Secretary of the Interior shall establish a sediment and nutrient monitoring network for the Upper Mississippi River Basin for the purposes of—

(1) identifying and evaluating significant sources of sediment and nutrients in the Upper Mississippi River Basin;

(2) quantifying the processes affecting mobilization, transport, and fate of those sediments and nutrients on land and in water;

(3) quantifying the transport of those sediments and nutrients to and through the Upper Mississippi River Basin;

(4) recording changes to sediment and nutrient loss over time;

(5) providing coordinated data to be used in computer modeling of the Basin, pursuant to section 201; and

(6) identifying major sources of sediment and nutrients within the Basin for the purpose of targeting resources to reduce sediment and nutrient loss.

(b) **ROLE OF UNITED STATES GEOLOGICAL SURVEY.**—The Secretary of the Interior shall carry out this title acting through the office of the Director of the United States Geological Survey.

#### SEC. 102. DATA COLLECTION AND STORAGE RESPONSIBILITIES.

(a) **GUIDELINES FOR DATA COLLECTION AND STORAGE.**—The Secretary of the Interior shall establish guidelines for the effective design of data collection activities regarding sediment and nutrient monitoring, for the use of suitable and consistent methods for data collection, and for consistent reporting, data storage, and archiving practices.

(b) **RELEASE OF DATA.**—Data resulting from sediment and nutrient monitoring in the Upper Mississippi River Basin shall be released to the public using generic station identifiers and hydrologic unit codes. In the case of a monitoring station located on private lands, information regarding the location of the station shall not be disseminated without the landowner's permission.

(c) **PROTECTION OF PRIVACY.**—Data resulting from sediment and nutrient monitoring in the Upper Mississippi River Basin is not subject to the mandatory disclosure provisions of section 552 of title 5, United States Code, but may be released only as provided in subsection (b).

#### SEC. 103. RELATIONSHIP TO EXISTING SEDIMENT AND NUTRIENT MONITORING.

(a) **INVENTORY.**—To the maximum extent practicable, the Secretary of the Interior shall inventory the sediment and nutrient monitoring efforts, in existence as of the date of the enactment of this Act, of Federal, State, local, and nongovernmental entities for the purpose of creating a baseline understanding of overlap, data gaps and redundancies.

(b) **INTEGRATION.**—On the basis of the inventory, the Secretary of the Interior shall integrate the existing sediment and nutrient monitoring efforts, to the maximum extent practicable, into the sediment and nutrient monitoring network required by section 101.

(c) **CONSULTATION AND USE OF EXISTING DATA.**—In carrying out this section, the Secretary of the Interior shall make maximum use of data in existence as of the date of the enactment of this Act and of ongoing programs and efforts of Federal, State, tribal, local, and nongovernmental entities in developing the sediment and nutrient monitoring network required by section 101.

(d) **COORDINATION WITH LONG-TERM ESTUARY ASSESSMENT PROJECT.**—The Secretary of the Interior shall carry out this section in coordination with the long-term estuary assessment project authorized by section 902 of the Estu-

aries and Clean Waters Act of 2000 (Public Law 106-457; 33 U.S.C. 2901 note).

#### SEC. 104. COLLABORATION WITH OTHER PUBLIC AND PRIVATE MONITORING EFFORTS.

To establish the sediment and nutrient monitoring network, the Secretary of the Interior shall collaborate, to the maximum extent practicable, with other Federal, State, tribal, local and private sediment and nutrient monitoring programs that meet guidelines prescribed under section 102(a), as determined by the Secretary.

#### SEC. 105. REPORTING REQUIREMENTS.

The Secretary of the Interior shall report to Congress not later than 180 days after the date of the enactment of this Act on the development of the sediment and nutrient monitoring network.

#### SEC. 106. NATIONAL RESEARCH COUNCIL ASSESSMENT.

The National Research Council of the National Academy of Sciences shall conduct a comprehensive water resources assessment of the Upper Mississippi River Basin.

### TITLE II—COMPUTER MODELING AND RESEARCH

#### SEC. 201. COMPUTER MODELING AND RESEARCH OF SEDIMENT AND NUTRIENT SOURCES.

(a) **MODELING PROGRAM REQUIRED.**—As part of the Upper Mississippi River Stewardship Initiative, the Director of the United States Geological Survey shall establish a modeling program to identify significant sources of sediment and nutrients in the Upper Mississippi River Basin.

(b) **ROLE.**—Computer modeling shall be used to identify subwatersheds which are significant sources of sediment and nutrient loss and shall be made available for the purposes of targeting public and private sediment and nutrient reduction efforts.

(c) **COMPONENTS.**—Sediment and nutrient models for the Upper Mississippi River Basin shall include the following:

(1) Models to relate nutrient loss to landscape, land use, and land management practices.

(2) Models to relate sediment loss to landscape, land use, and land management practices.

(3) Models to define river channel nutrient transformation processes.

(d) **COLLECTION OF ANCILLARY INFORMATION.**—Ancillary information shall be collected in a GIS format to support modeling and management use of modeling results, including the following:

(1) Land use data.

(2) Soils data.

(3) Elevation data.

(4) Information on sediment and nutrient reduction improvement actions.

(5) Remotely sensed data.

#### SEC. 202. USE OF ELECTRONIC MEANS TO DISTRIBUTE INFORMATION.

Not later than 90 days after the date of the enactment of this Act, the Director of the United States Geological Survey shall establish a system that uses the telecommunications medium known as the Internet to provide information regarding the following:

(1) Public and private programs designed to reduce sediment and nutrient loss in the Upper Mississippi River Basin.

(2) Information on sediment and nutrient levels in the Upper Mississippi River and its tributaries.

(3) Successful sediment and nutrient reduction projects.

#### SEC. 203. REPORTING REQUIREMENTS.

(a) **MONITORING ACTIVITIES.**—Commencing one year after the date of the enactment of this Act, the Director of the United States Geological Survey shall provide to Congress and make available to the public an annual report regarding monitoring activities conducted in the Upper Mississippi River Basin.